

REMARKS

Responsive to the aforementioned Office letter and in response to an oral interview with Examiner Yaritza Guadalupe and Supervisory Examiner Diego F. Guterrez on February 19, 2004, it is believed that this present amendment should place at least most, if not all, of the claims in allowable condition.

With respect to the aforesaid interview, the applicant discussed the claims in this application as well as the applicant's related applications including, for example, Application Serial No. 10/633,480 and Application Serial No. 10/004,213. The courtesy of this interview is greatly appreciated.

At the outset, it is urged that this application contains limitations which are not necessarily found in the other two applications and these limitations are believed to add patentable subject matter to the claims, even independently of other limitations which have been added in response to recommendations of the Examiners.

Turning first to Claim 1 and the claims dependent upon it, these claims have been amended to recite the plurality of movement indicator elements on the pathway to suggest to the individuals in the line to walk in the pedestrian pathway and which indicator elements depict the direction of movement. In a preferred embodiment, these indicator elements are footprints. However, it should be recognized that they can adopt other forms which will

nevertheless provide a representation of walking in a certain direction.

At the aforesaid interview, both Examiner Guadalupe and Supervisory Examiner Guterrez argued that the footprints function as movement indicator elements and point out a direction of movement. Both Examiners believed that these elements were not obvious in view of the prior art, in combination with the other elements now present in the claims. It was also suggested that if these elements were incorporated in the claims, they could potentially place the claims in condition for allowance.

Inasmuch as Claim 1 and the claims dependent thereon have been amended to recite these limitations, it is believed that these claims, such as Claims 1-5 and new Claims 28-34 are allowable and allowance therefore is respectfully solicited.

Claim 6 includes that limitation dealing with the movement indicator elements in the same manner as Claim 1. It is therefore believed that Claim 6 and the claims dependent thereon should also be allowable.

Claim 6 has further been amended to recite the various layers, such as the layer of relatively rigid material which provides sufficient weight to the substrate so that the edges do not curl. This is an important and significant benefit which is not taught in any of the prior art cited by the Examiner. It is therefore believed that Claim 6 and those claims dependent upon Claim 6 are also allowable. Allowance therefore is respectfully solicited.

Claims 15-18 have only been amended in relatively minor matters, but have not been amended to include the movement indicator elements. Claim 15 already calls for the ground cover substrate being comprised of a relatively rigid layer and a relatively flexible second layer. It is respectfully urged and contrary to the position of the Examiners in the aforesaid Office actions, that there is not one reference of record which suggests this unique combination.

Admittedly, the Examiners may be able to locate prior art in which a polycarbonate material may have been used in a floor substrate. They may also have been able to find prior art in which a styrene based copolymer has been used in a floor substrate. However, there must be some suggestion to combine these two layers independently of the applicant. In other words, the U.S. Patent and Trademark Office cannot examine the present application and then, in hindsight, suggest that the invention could have been done. The fact remains that there is no prior art of record which shows this unique combination. Thus, it is believed, independently of the other issues in this application, that Claim 15 and those claims dependent upon Claim 15 recite important and unique combination which is not addressed in the art of record. It is therefore believed that these Claims 15-18 and new Claim 35 are allowable and allowance therefore is respectfully solicited.

Claim 21 more specifically calls for the substrate and the element representing a standing or waiting position along with the

informational messages which may be presented thereon. More specifically, this claims states that the second message can be in the form of a plurality of footsteps providing information relating to the direction of movement or standing. Although this claims does not necessarily call for the end of the line element and the path forming elements, it is nevertheless believed that this claim is allowable and allowance therefore is respectfully solicited.

Claim 24 is similar to Claim 15, but does call for the end of the line position and the pathway of movement for the group of pedestrian individuals. More specifically, this claim calls for the formation of the desired pathway of movement in such manner as to avoid obstruction and obtain an optimum pathway. Finally, this claim has been amended to incorporate those limitations added to Claim 1 with this amendment. It is therefore believed that Claim 25 patentably distinguishes over the art of record.

Claim 30 is a new dependent claim calling for limitations which were previously incorporated in Claim 1. Since Claim 1 includes limitations which appear to patentably distinguish over the art of record, at least based on the aforesaid interview, it is believed that limitations now present in Claim 30 were not necessary for Claim 1. These limitations have therefore been made the subject matter of this separate Claim 30.

The applicant has further added a new Claim 36 which is essentially a combination of Claims 1 and 15. In other words, Claim 36 includes the major limitations presented in each of those two

previous claims. For the reasons advanced regarding the allowance of Claims 1 and 15 independently, it is believed that new Claim 36 is also allowable. Allowance therefore is respectfully solicited.

In view of the foregoing, favorable reconsideration and allowance is respectfully solicited.

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Respectfully submitted,



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CERTIFICATE OF MAILING

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by electronic mail to the United States Patent and Trademark Office  
on August 2, 2004.

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Date of Signature: August 2, 2004

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